

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL DEPOSIT INSURANCE CORPORATION,
as Receiver for CITIZENS NATIONAL BANK
and STRATEGIC CAPITAL BANK,

Plaintiff,

v.

BEAR STEARNS ASSET BACKED SECURITIES I
LLC; THE BEAR STEARNS COMPANIES LLC.; J.P.
MORGAN SECURITIES LLC.; CITICORP MORTGAGE
SECURITIES, INC.; CITIMORTGAGE, INC.;
CITIGROUP GLOBAL MARKETS INC.; CREDIT
SUISSE FIRST BOSTON MORTGAGE SECURITIES
CORP.; CREDIT SUISSE MANAGEMENT LLC;
CREDIT SUISSE SECURITIES (USA) LLC; MERRILL
LYNCH MORTGAGE INVESTORS, INC.; MERRILL
LYNCH MORTGAGE CAPITAL INC.; MERRILL
LYNCH, PIERCE, FENNER & SMITH INC.; ALLY
SECURITIES, LLC; DEUTSCHE BANK SECURITIES
INC.; HSBC SECURITIES (USA) INC.; RBS
SECURITIES INC.; and UBS SECURITIES LLC,

Defendants.

No. 12 Civ. 4000 (LTS)

Oral Argument Requested

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law, the declaration of Andrew T. Frankel sworn to on July 30, 2012, and the exhibits provided therewith, Defendants Bear Stearns Asset Backed Securities I LLC, The Bear Stearns Companies LLC, J.P. Morgan Securities LLC, Citicorp Mortgage Securities, Inc., CitiMortgage, Inc., Citigroup Global Markets Inc., Credit Suisse First Boston Mortgage Securities Corp., Credit Suisse Management LLC, Credit Suisse Securities (USA) LLC, Merrill Lynch Mortgage Investors, Inc., Merrill Lynch Mortgage Capital Inc., Merrill Lynch, Pierce, Fenner & Smith Inc, Ally Securities, LLC, Deutsche Bank Securities Inc., HSBC Securities (USA) Inc., RBS Securities Inc., and UBS

Securities LLC will move this Court, before The Honorable Laura T. Swain, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, on a date and time designated by the Court, for an order dismissing the Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and granting Defendants such other and further relief as the Court deems just and proper. Oral argument is requested on a date and at a time designated by the Court.

Dated: July 30, 2012

New York, New York

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